

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

STATE OF MARYLAND

v.

BOISEY NEAL

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Case No.: K-07-1393

**STATE'S OPPOSITION TO DEFENDANT'S
PRO SE REQUEST FOR MODIFICATION OF SENTENCE**

Now comes the State, by and through Michael J. Dunty, Assistant State's Attorney for Anne Arundel County, and respectfully requests this Honorable Court to deny the Defendant's *Pro Se* Motion, and for cause states:

1. The Defendant was sentenced on March 28, 2008 in the above-captioned case;
2. The Defendant filed a *pro se* letter with a request the State is unable to determine based on the letter submitted;
3. It appears the complaint from the Defendant's letter is a sentence imposed by the Circuit Court of Baltimore County as it relates to a violation of probation in 03-K-95-1261, which occurred on October 6, 2008;
4. This Court's sentence was as follows:
 - a. Cont #1 - Armed Robbery - 20 years suspend all but 10 year to be consecutive to Count #6 with a recommendation to the Patuxent Institution within the Department of Public Safety and Correctional Services;
 - b. Count #6 - Use of Handgun in Crime of Violence/Felony - 10 years suspend all but 5 years

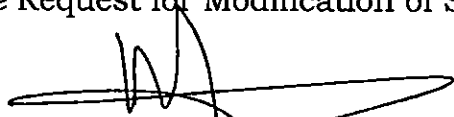
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without parole. This sentence started on January 14, 2007;

5. The Court in Baltimore County has the authority to impose a consecutive sentence upon a violation of probation in the Baltimore;
6. As for credits due against the Anne Arundel County Sentence, the State would draw the Court's attention to the Defendant's exhibit - January 8, 2013 letter by Marcene Kipe. Ms. Kipe indicates in the letter the correct start date of the Anne Arundel County sentence was well as the credit being applied to the sentence.

WHEREFORE, the State respectfully requests this Honorable Court deny the Defendant's *Pro Se* Request for Modification of Sentence.



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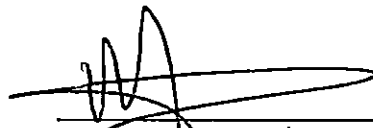
POINTS and AUTHORITIES

Maryland Rule 4-345

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 10th of February, 2014 a copy of the foregoing Answer was mailed, postage prepaid, to:

Boisey Neal
ID #349-871
MCTC
18800 Roxbury Road
Hagerstown, MD 21746

A handwritten signature in black ink, appearing to read "Michael J. Dunty", is written over a horizontal line.

Michael J. Dunty
Assistant State's Attorney